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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,082	03/12/2004	Paul A. Maas	840650.00002	8518
26710 7590 12/29/2006 QUARLES & BRADY LLP 411 E. WISCONSIN AVENUE SUITE 2040 MILWAUKEE, WI 53202-4497			EXAMINER BLOODGOOD, RUSSELL F	
			ART UNIT 3634	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/29/2006	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/799,082

Applicant(s)

MAAS, PAUL A.

Examiner

Russell F. Bloodgood

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/12/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The applicant's Information Disclosure Statement filed on 3/12/2004 has been considered and a copy has been placed in the file.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 3, 4, 5, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maas (US Patent No. 5272848) in view of Nussdorf et al (US Patent No. 4373570) and LeMay (US Patent No. 3987836).

Maas discloses a portable room divider having a plurality of smaller panels 11 that are hinged together (Figure 3), which allows them to fold up when not in use and then to fold back out when necessary, so as to create a larger solid partition. Maas further discloses a partition supported by feet 18 comprising casters 19 and end supports 15 comprising or casters 17 to allow the partition to be moved easily while still providing the necessary support especially to the span of panels in their unfolded position.

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Maas fails to disclose (1) side walls, and (2) a keyhole and stud connection between panels.

Nussdorf et al teach a portable display booth having side walls comprising a large rear panel 54 and two side panels 40 and 42 that are less than half of the height of the rear panel 54.

It would have been obvious to one of ordinary skill within the art at the time of the invention to modify the portable room divider disclosed by Maas with side walls that are less than half of the height of the rear wall as taught by Nussdorf et al in order to form an appropriately dimensioned exhibition booth.

LeMay teaches a partition assembly having a keyhole and stud connection between panels and further comprising connection pieces 10 and 26 that utilize keyhole and stud connections (for example 28 and 20 or 29 and 30) on multiple planes, such as the outer edge and also the front and rear faces of a panel (Figure 1) to allow extra panels to be connected to its end, front face, or rear face. LeMay further teaches providing extra slots 73 and 74 on the front and rear faces of the panel to allow other attachments to be secured to the panel, such as a pipe commonly used in an exhibition booth.

It would have been further obvious to one of ordinary skill within the art at the time of the invention to modify the portable room divider disclosed by Maas with panels having a connection bracket as disclosed by LeMay that has either a plurality of keyholes on the end and both the front and rear faces or a plurality of studs on the end of the panel's bracket to be received by the keyholes of another panel, which would

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allow for a plurality of possible setups for the movable partition, and further, to provide extra slots that would allow the connection of piping commonly used in exhibition booths to hang objects or support other frames or structures.

3. Claims 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maas, Nussdorf et al, and LeMay as applied to claims 1-6 and 8 above, and further in view of Carter (US Application Publication No. 2005/0236790).

All of the elements of the instant invention are discussed in detail above except providing support pieces having wheels.

Carter discloses a wheeled support comprising a support body 4 that is connected to wheels.

It would have been further obvious to one of ordinary skill within the art at the time of the invention to further modify the portable room divider disclosed by Maas with the wheeled support disclosed by Carter in order to achieve the highest levels of stability and portability using the simplest and most effective way as well as allowing the support body to engage to floor or ground, holding the weight of the piece being supported without allowing it to roll away.

4. Claims 9, 10, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nussdorf et al, Maas, LeMay, and Carter as applied to claims 1-8 and 11-23 above, and further in view of Shipman et al (US Patent No. 6216398).

All of the elements of the instant invention are discussed in detail above except providing a partition panel having a handle.

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Shipman et al disclose a panel 44 comprising a handle 60.

It would have been obvious to one of ordinary skill within the art at the time of the invention to further modify the portable room divider disclosed by Maas with at least one panel having a handle on it as taught by Shipman et al. ('398) since a handle provides a place for someone moving the panel or partition to hold the panel, giving them increased grip to aid in the moving process.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell F. Bloodgood whose telephone number is 571-272-5712. The examiner can normally be reached on Mon - Fri: 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RFB



Jerry Redman
Primary Examiner